



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/828,560	03/31/97	EGNOR	J 3398T

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PM21/0807

EXAMINER

GRAHAM, M

ART UNIT	PAPER NUMBER
3613	5

DATE MAILED: 08/07/98

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

06/028560

Applicant(s)

EGNDR

Examiner

GRAHAM

Group Art Unit

3613

---The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address---

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☐ Responsive to communication(s) filed on _____.
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-12 is/are pending in the application.
Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-12 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
 - ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
 - ☐ received in Application No. (Series Code/Serial Number) _____.
 - ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____.

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☒ Notice of References Cited, PTO-892
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 12 is rejected under 35 U.S.C. 102(b) as being anticipated by Rapp.

See Fig. 1.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 2, 6/1, 6/2, 7, 10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gregg in view of Rapp.

Gregg shows a wheel chock having front and rear ramps, a flat bottom, securing means 4 and side wall 7.

The claimed invention differs only in the inclusion of a second side wall.

Rapp shows a wheel chock having front and rear ramps, securing means 23 and two side walls 14.

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It would have been obvious to one of ordinary skill in the art to have included a second slot wall on the wheel chock of Gregg in view of the teaching of Rapp so as to lock the wheel on both sides.

Re - claim 2, note flat extending surface 4 on Gregg.

Re - claims 6/1, 6/2, 7, the walls of Rapp project from the upper surface to the same degree as that shown by applicants.

Re - claims 10-11, the inclusion of holes in the flat extending surface of Gregg would have been obvious to one of ordinary skill in the art as a common type of fastening means and a substitute of known equivalent fasteners.

5. Claims 3, 4, 6/3, 6/4, 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gregg as modified by Rapp as applied to claims 1-2 above, and further in view of Wilson et al..

The claimed invention differs from Gregg, as modified by Rapp, only in angles of the ramps.

Wilson et al. show the rear ramp having a greater slope than the front.

It would have been obvious to one of ordinary skill in the art to have formed the ramp portions at different angles so as to easily roll the vehicle into the chock as taught by Wilson et al.

Re - claims 8-9, Wilson et al. also show rails as the wheel support elements.

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6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gonsed, Mountz, Lisboa and Tannehill et al. show wheel chocks.

7. The 1449 discussed in paper number 4, filed 3/31/97, is not of record in the case and none of the references discussed have been supplied. Applicants should provide a copy of the 1449 and references if they wish these references to be made of record.

8. Any inquiry concerning this communication should be directed to Mr. Graham at telephone number (703) 308-1113.

Graham/vrs
August 3, 1998